REMARKS

Claims 1 and 3 are pending and under consideration in the above-identified application. Claims 2 and 4-17 were previously withdrawn and remain withdrawn. Claim 6 was previously cancelled and remains cancelled

In the Office Action of June 26, 2008, claims 1 and 3 were rejected. With this Amendment, claim 1 is amended. Accordingly, claims 1 and 3 remain at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yoshiyama et al.* (JP 07-081065 A) ("*Yoshiyama*") in view of *Nakano* (JP 2000-185403) ("*Nakano*"). Applicant respectfully traverses this rejection.

In relevant part, independent claim 1 recites:

"said discharge direction deflection unit generates a heat timing differential between two of said plurality of heat generation units, said differential determining the amount of heat required of each heat generating unit to deflect the direction of a liquid discharged from one of the plurality of said nozzles to a desired deflection angle."

This is clearly unlike *Yoshiyama,* which fails to disclose using a heat timing differential between two heat generation units to calculate the amount of heat required of each heat generation unit to deflect a liquid discharged from a nozzle to a desired deflection angle. Instead, *Yoshiyama* discloses determining the amount of deflection of a liquid exiting a nozzle using information gathered from a displacement sensor. See, Machine Translation JP 07-081065, Para. [0038]. Since *Yoshiyama* discloses using a measurement from a displacement sensor to determine the deflection angle of a liquid exiting a nozzle, it fails to disclosed a required element of the claim.

Nakano, similarly, fails to disclose using a heat timing differential between two heat generation units to calculate the amount of heat required of each heat generation unit to deflect a liquid discharged from a nozzle to a desired deflection angle. Instead, *Nakano* discloses monitoring the temperature of the liquid using a temperature sensor and adjusting the heat output of a heating element to deflect the liquid leaving a nozzle to a desired deflection angle. See, JP 2000-185403, Para. [0100]. Since *Nakano* discloses measuring the temperature of the liquid to calculate the amount of heat required to deflect a liquid exiting a nozzle, it fails to disclose a required element of the claim.

As the Applicant's current specification teaches, by determining the amount of heat required to deflect a liquid using a timing differential, liquid discharged from a nozzle can be accurately deflected. See, U.S. Pat. Pub. No. 2006/0197811, Para. [0061]. Further, temperature sensors and additional equipment are not utilized thereby reducing the amount of equipment required to accurately deflect the liquid.

Therefore, because *Yoshiyama*, *Nakano* and any combination of them fails to disclose, or even fairly suggest, every feature of claim 1, the rejection cannot stand. Because claim 3 depends, either directly or indirectly from claim 1, it is allowable for at least the same reasons.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: September 15, 2008 By: /David R. Metzger/

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